

REMARKS

By the foregoing amendments, claims 1, 4, 9 have been amended. The amendments to claims were made in response to the objections raised in the Office Action dated December 10, 2008. The amendment to claim 1 does not add new matter. Support for the amendment to claim 1 can be found throughout the specification. More specifically, support for the amendments to claim 1 can be found in previous claim 6 and in the specification, for example, at page 59, paragraph [0088].

Claim Objections

The Office Action objects to claims 1, 4, and 9 because of informalities regarding parentheses in the claims and the weight% range of block B2.

By the above amendment, Applicants respectfully request withdrawal of the objections.

Claim Rejections under 35 U.S.C. § 112, second paragraph

The Action rejects claim 1 under 35 U.S.C. § 112, first paragraph, for allegedly not complying with the written description requirement.

By the foregoing amendments to the claims, Applicants respectfully submit that the rejection has been addressed. Applicants respectfully request withdrawal of the rejection.

Claim Rejections under 35 U.S.C. § 103(a)

The Office raises the following obviousness rejections:

- a.) The Action rejects claims 1-5, 7-11, and 12-13 under 35 U.S.C. § 103(a) as allegedly being anticipated by Doki et al. (U.S. Patent Application Publication No. 2002/0115790) in view of Shibata et al. (U.S. Patent No. 5,191,024).
- b.) The Action rejects claims 1-5, 7-11, and 12-13 under 35 U.S.C. § 103(a) as allegedly being anticipated by Doki in view of Shibata et al. and in further view of Hahn (Modern Styrenic Polymers, 2003).

By the above amendment to the claims and the following remarks, Applicants respectfully request withdrawal of the rejections.

Applicants respectfully note that, with respect to obviousness rejections, “[a] patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does.” *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct., 1741.

Applicants submit that the Action fails to identify any reason that would have prompted a person of ordinary skill in the art to prepare a polyoxymethylene resin composition according to claim 1 having “hydrogenated aromatic vinyl compound–conjugated diene compound random copolymer comprising aromatic vinyl compound units and conjugated diene compounds units, wherein ethylenic unsaturated groups of polybutadiene portions are hydrogenated after random polymerization of the aromatic vinyl compound with the conjugated diene compound.”

The Office concedes that “Doki fails to teach a block copolymer specifically having a randomly copolymerized block comprising hydrogenated aromatic vinyl and diene” (see Office Action, page 5, lines 3-5). In order to cure this deficiency, the Office relies on Shibata et al. However, the Office concedes the Shibata fails to indicate “that there would be hydrogenation of the styrene by the catalytic process later employed” (see Office Action, page 11, lines 18-19). The Office relies then on Hahn to remedy this deficiency.

Applicants respectfully submit that the Office does not provide any reason as to why one of ordinary skill in the art would combine any of the secondary documents as suggested. More specifically, Applicants submit that one of ordinary skill, with knowledge of Doki et al., would not have had any reason to deviate from the disclosure of Doki et al. to arrive at a feature of the present invention, which is not disclosed in Doki et al. The Office has failed to set forth any rationale as to why one would modify the teaching of Doki et al.

Thus, Applicants submit that the Office has failed to provide any reason for modifying the teaching of Doki et al. Applicants also submit that the Office has failed to provide any reason for choosing a “randomly copolymerized block comprising hydrogenated aromatic vinyl and diene,” as allegedly disclosed in Shibata et al. There is simply nothing in Doki et al. or in Shibata et al. that would suggest the combination as the Office suggests.

Still further, there is no reason that a person of skill in the art would look past Doki et al. and/or Shibata et al. to Hahn for any teaching at all. The Office relies on Hahn for the disclosure of “ethylenic unsaturated groups of polybutadiene portions . . . hydrogenated after random polymerization of the aromatic vinyl compound with the conjugated diene compound” as recited in claim 1. However, the Office fails to provide any rationale for turning to Hahn for this disclosure, or any rationale as to why one of skill in the art would combine Doki et al. not only with Shibata et al., but also with Hahn.

Even under *KSR Int'l Co. v. Teleflex Inc.*, in the absence of any of the foregoing explanations, there cannot be a proper obviousness rejection. For at least these reasons, the rejections are untenable and should be withdrawn.

Additionally, Applicants respectfully submit that the presently claimed invention shows unexpected results, and that in view of these unexpected results, the rejection should be withdrawn. Applicants note that Tables 1-4 of the present application disclose that the claimed invention imparts excellent oil resistance and hole-sliding properties over comparative examples that do not compound-conjugated diene random copolymer blocks. Thus, even if the Office believes a *prima facie* case is made by the combination of references, Applicants submit that case is effectively rebutted by this showing of unexpected results.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. Favorable consideration with early allowance of all of the pending claims is most earnestly requested.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Mitsuhiko HORIO et al.

Bruce H. Bernstein

Reg. No. 29,027

42,920

Sean M. Bernstein

March 10, 2009
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191